

REMARKS

By this Amendment, claims 43 and 44 are canceled, without prejudice or disclaimer of the subject matter recited therein, claims 16-18, 20, 32-33 and 45 are amended and new claims 46-51 are added. Accordingly, claims 4, 5, 12, 16-42 and 45-51 are pending. No new matter is added.

In view of the foregoing, reconsideration of the application is respectfully requested.

Applicant gratefully acknowledges that the Office Action indicates that claims 4, 5, 12 and 24-31 are allowed and that claims 17-19, 21-23 and 33-42 contain allowable subject matter.

Claim 45 stands rejected under 35 U.S.C. §112, second paragraph, as indefinite. Claim 45 is amended to properly depend from pending claim 16. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 16, 20, 32 and 43-44 stand rejected under 35 U.S.C. §103(a) over U.S. Patent No. 4,704,348 to Koizumi et al. in view of U.S. Patent No. 5,973,764 to McCullough et al. This rejection is moot with respect to canceled claims 43-44 and is respectfully traversed with respect to the remaining claims.

Independent claim 16 recites *inter alia* "an exposure method . . . comprising . . . enclosing a first space . . . by an enclosure member in which a first aperture is formed in a region in which the exposure beam is transmitted, substantially sealing the first space, excluding said first aperture of the enclosure member, supplying a gas into the first space from a supply port . . . and exhausting the gas in the first space from an exhaust port, which is different from the first aperture." Independent claim 32 similarly recites *inter alia* "an exposure apparatus . . . comprising: an enclosure member . . . surrounding a first space and substantially sealing the first space, excluding a first aperture of the enclosure member through which the exposure beam is transmitted; a first gas supply mechanism . . . supplying

a first gas . . . into the first space through a supply port different from the first aperture; and a first exhaust mechanism . . . exhausting the gas in the first space through an exhaust port different from the first aperture." It is respectfully submitted that none of the references of record disclose, teach or suggest this claimed combination of features.

Koizumi et al. arguably discloses enclosing a first space 45 between a projection system 42 and a second object 32, supplying a gas into the first space 45 from a supply port 46 provided in the enclosure member, and exhausting the gas from the bottom of the first space 45. However, Koizumi et al. does not disclose exhausting the gas in the first space 45 from an exhaust port which is different from an aperture which is formed in a region in which the exposure beam is transmitted, as recited in claim 16, or through which an exposure beam is transmitted, as recited in claim 32. The bottom of the first space 45, which is formed in a region in which the exposure beam is transmitted and through which the exposure beam is transmitted, is the only exhaust port from which the gas in the first space 45 is exhausted according to Koizumi et al.

McCullough et al. does not make up for the deficiencies of Koizumi et al.

McCullough et al. arguably discloses exhaust ports 16 built in a manifold 14. However, not only does McCullough et al. fail to disclose an enclosure member which substantially seals a first space except the aperture through which an exposure beam is transmitted and fail to disclose a supply port to supply gas into the first space, McCullough et al. fails to disclose exhausting the gas in the first space from an exhaust port which is different from an aperture which is formed in a region in which the exposure beam is transmitted, as recited in claim 16, or through which an exposure beam is transmitted, as recited in claim 32. According to McCullough et al., the exhaust ports 16 exhaust gas that exists outside of the first space, as illustrated by the airflows represented by arrows 28 and 30.

Therefore, it is respectfully submitted that, absent impermissible hindsight reasoning, a person of ordinary skill in the art would not have been motivated to combine the teachings of Koizumi et al. and McCullough et al. in such a way as to achieve the invention recited in claims 16 and 32.


In view of the foregoing, it is respectfully submitted that claims 16 and 32 are patentable over Koizumi et al. and McCullough et al., individually or in permissible combination. Further, it is respectfully submitted that claim 20 is patentable at least in view of the patentability of claim 16 from which it depends, as well as for the additional features it recites. Accordingly, withdrawal of the rejection of claims 16, 20, 32 and 43-44 under 35 U.S.C. §103(a) over Koizumi et al. and McCullough et al. is respectfully requested.

It is respectfully submitted that new dependent claims 46-49 are patentable at least in view of the patentability of claim 32 from which they depend, as well as for the additional features they recite. It is respectfully submitted that new independent claim 50 and dependent claim 51 are patentable over the references of record.

In view of the foregoing, Applicant submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 4, 5, 12, 16-42 and 45-51 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Request for Continued Examination
Amendment Transmittal

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